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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,) Case No. 3:05-cr-108-11 (JWS)
)
)
Plaintiff,)
)
) RESPONSE TO MOTION TO JOIN
vs.)
)
ISAI HERNANDEZ,)
)
Defendant.)

Isai Hernandez, the defendant, has moved to have this Court direct the Untied States to provide the identities of all persons who are depicted in the audio and video tape recordings and photographs provided in discovery. Hernandez fails to provide any authority for this request. There is no support for such a request in Fed. R. Crim. P 16 and any list the United States may have prepared containing

any such information would be the government's work product, not subject to production under Fed. R. Crim. P 16(a)(2).

The United States has already provided an index of the participants in the audio recordings intercepted pursuant to the Title III intercept. As all discovery already produced affects the charges against Hernandez, he can conclude that it relates to him. No list the government prepares in anticipation of trial regarding the particular items the government intends to introduce against Hernandez or any other defendant is subject to disclosure pursuant to Fed. R. Crim. P 16(a)(2).

RESPECTFULLY SUBMITTED this day, March 28, 2006, in Anchorage, Alaska.

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CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2006
a copy of the foregoing was served electronically:

Hugh Fleischer, Esq.

s/ Stephan A. Collins